

§ 47502. Noise measurement and exposure systems and identifying land use compatible with noise exposure

After consultation with the Administrator of the Environmental Protection Agency and United States Government, State, and interstate agencies that the Secretary of Transportation considers appropriate, the Secretary shall by regulation—

(1) establish a single system of measuring noise that—

(A) has a highly reliable relationship between projected noise exposure and surveyed reactions of individuals to noise; and

(B) is applied uniformly in measuring noise at airports and the surrounding area;

(2) establish a single system for determining the exposure of individuals to noise resulting from airport operations, including noise intensity, duration, frequency, and time of occurrence; and

(3) identify land uses normally compatible with various exposures of individuals to noise.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1284.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47502	49 App.:2102.	Feb. 18, 1980, Pub. L. 96–193, § 102, 94 Stat. 50.

In this section, before clause (1), the words “Not later than the last day of the twelfth month which begins after February 18, 1980” are omitted as obsolete.

§ 47503. Noise exposure maps

(a) **SUBMISSION AND PREPARATION.**—An airport operator may submit to the Secretary of Transportation a noise exposure map showing the noncompatible uses in each area of the map on the date the map is submitted, a description of estimated aircraft operations during a forecast period that is at least 5 years in the future and how those operations will affect the map. The map shall—

(1) be prepared in consultation with public agencies and planning authorities in the area surrounding the airport; and

(2) comply with regulations prescribed under section 47502 of this title.

(b) **REVISED MAPS.**—If, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new non-compatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration, the airport operator shall submit a revised noise exposure map to the Secretary showing the new non-compatible use or noise reduction.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1284; Pub. L. 108–176, title III, §324, Dec. 12, 2003, 117 Stat. 2542.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
47503(a)	49 App.:2103(a)(1).	Feb. 18, 1980, Pub. L. 96–193, § 103(a), 94 Stat. 50.
47503(b)	49 App.:2103(a)(2).	

In subsection (a), before clause (1), the words “After the effective date of the regulations promulgated in accordance with section 2102 of this Appendix” are omitted as executed. The words “of an airport” and “at such airport” are omitted as surplus. The word “how” is substituted for “the ways, if any, in which” to eliminate unnecessary words. In clause (1), the words “planning authorities” are substituted for “planning agencies” for consistency.

In subsection (b), the words “to the Secretary” are added for clarity. The words “after the submission to the Secretary of a noise exposure map under paragraph (1)” are omitted as surplus.

AMENDMENTS

2003—Subsec. (a). Pub. L. 108–176, §324(1), substituted “a forecast period that is at least 5 years in the future” for “1985,” in introductory provisions.

Subsec. (b). Pub. L. 108–176, §324(2), added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows: “If a change in the operation of an airport will establish a substantial new noncompatible use in an area surrounding the airport, the airport operator shall submit a revised noise exposure map to the Secretary showing the new noncompatible use.”

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108–176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as a note under section 106 of this title.

NOISE DISCLOSURE

Pub. L. 108–176, title III, §322, Dec. 12, 2003, 117 Stat. 2540, provided that:

“(a) **NOISE DISCLOSURE SYSTEM IMPLEMENTATION STUDY.**—The Administrator of the Federal Aviation Administration shall conduct a study to determine the feasibility of developing a program under which prospective home buyers of property located in the vicinity of an airport could be notified of information derived from noise exposure maps that may affect the use and enjoyment of the property. The study shall assess the scope, administration, usefulness, and burdensomeness of any such program, the costs and benefits of such a program, and whether participation in such a program should be voluntary or mandatory.

“(b) **PUBLIC AVAILABILITY OF NOISE EXPOSURE MAPS.**—The Administrator shall make noise exposure and land use information from noise exposure maps available to the public via the Internet on its website in an appropriate format.

“(c) **NOISE EXPOSURE MAP.**—In this section, the term ‘noise exposure map’ means a noise exposure map prepared under section 47503 of title 49, United States Code.”

§ 47504. Noise compatibility programs

(a) **SUBMISSIONS.**—(1) An airport operator that submitted a noise exposure map and related information under section 47503(a) of this title may submit a noise compatibility program to the Secretary of Transportation after—

(A) consulting with public agencies and planning authorities in the area surrounding the airport, United States Government officials having local responsibility for the airport, and air carriers using the airport; and

(B) notice and an opportunity for a public hearing.